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JUN 18 2015

AO 245B (CASD) (Rev. 12/11) Judgment in a Criminal Case
Sheet 1UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIACLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *ace* DEPUTY

UNITED STATES OF AMERICA

v.

MELVIN WARREN RIVERS (1)

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 13CR3954-BEN

GERALD T. MCFADDEN

Defendant's Attorney

REGISTRATION NO. 45526298

☐

THE DEFENDANT:

☒ pleaded guilty to count(s) 1s OF THE SUPERSEDING INFORMATION.☐

was found guilty on count(s) _____

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
18 USC 1954(c)	CONSPIRACY TO COMMIT SEX TRAFFICKING OF CHILDREN	1s

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.☐ The defendant has been found not guilty on count(s) _____☒ Count(s) UNDERLYING INDICTMENT is ☒ are ☐ dismissed on the motion of the United States.☒ Assessment: \$100.00 forthwith or through the Inmate Financial Responsibility Program (IFRP) at the rate of not less than \$25.00 per quarter during the period of incarceration.☒ Fine waived☒ Forfeiture pursuant to order filed 2/9/2015, included herein.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

MAY 26, 2015

Date of Imposition of Sentence


HON. ROGER T. BENITEZ
UNITED STATES DISTRICT JUDGE

13CR3954-BEN

DEFENDANT: MELVIN WARREN RIVERS (1)

CASE NUMBER: **13CR3954-BEN****IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of NINETY-SEVEN (97) MONTHS.

☐ Sentence imposed pursuant to Title 8 USC Section 1326(b).

☒ The court makes the following recommendations to the Bureau of Prisons:

DEFENDANT BE ALLOWED TO PARTICIPATE IN THE 500-HOUR DRUG TREATMENT PROGRAM.

DEFENDANT BE INCARCERATED WITHIN THE WESTERN REGION OF THE UNITED STATES.

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____.

as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before _____

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____

DEPUTY UNITED STATES MARSHAL

13CR3954-BEN

DEFENDANT: MELVIN WARREN RIVERS (1)
CASE NUMBER: 13CR3954-BEN

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :
TEN (10) YEARS.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

For offenses committed on or after September 13, 1994:

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of a DNA sample from the defendant, pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000, pursuant to 18 USC sections 3563(a)(7) and 3583(d).
- ☒ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant must comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: MELVIN WARREN RIVERS (1)
CASE NUMBER: 13CR3954-BEN**SPECIAL CONDITIONS OF SUPERVISION**

- ☒ Submit your person, property, house, residence, vehicle, papers, computer, electronic communications or data storage devices or media, and effects to search at any time, with or without a warrant, by any law enforcement or probation officer with reasonable suspicion concerning a violation of a condition of probation/supervised release or unlawful conduct, and otherwise in the lawful discharge of the officer's duties. 18 U.S.C. §§ 3563(b)(23) and 3583(d)(3).
- ☒ Not have any contact, direct or indirect, either telephonically, visually, verbally or through written material, or through any third-party communication, with the victim or victims's family, without prior approval of the probation officer.
- ☒ Not associate with, or have any contact with any sex offenders unless in an approved treatment and/or counseling setting.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☐ Not reenter the United States illegally.
- ☐ Not enter or reside in the Republic of Mexico without written permission of the Court or probation officer.
- ☒ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☒ Comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any other state sex offender registration agency in which he or she resides, works or is a student, or was convicted of a qualifying offense.
- ☒ Reside in a residence approved in advance by the probation officer, and any changes in residence shall be pre-approved by the probation officer.
- ☐ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☒ Shall not engage in any activity that advocates, promotes, or glorifies pimping, prostitution, or sex trafficking.
- ☐ Seek and maintain full time employment and/or schooling or a combination of both.
- ☒ Resolve all outstanding warrants within 60 days.
- ☐ Complete _____ hours of community service in a program approved by the probation officer within _____
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of _____
- ☒ Participate in a program of drug or alcohol abuse treatment, including urinalysis or sweat patch testing and counseling, as directed by the probation officer. Allow for reciprocal release of information between the probation officer and the treatment provider. Is required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.
- ☒ Complete a sex offender evaluation, which may include periodic psychological, physiological testing, and completion of the ABEL assessment, at the direction of the court or probation officer; and that the offender participate and successfully complete an approved state-certified sex offender treatment program, including compliance with treatment requirements of the program. The offender will allow reciprocal release of information between the probation officer and the treatment provider. The offender may also be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on ability to pay.

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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
acc. DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
MELVIN WARREN RIVERS,
Defendant.

Case No. 13cr3954-BEN
ORDER OF CRIMINAL
FORFEITURE

WHEREAS, in the Indictment in the above-captioned case, the United States seeks forfeiture of all right, title and interest in a specific property of the above-named Defendant, MELVIN WARREN RIVERS ("Defendant"), pursuant to 18 U.S.C. § 1594(d), as property involved in the violation of 18 U.S.C. §§ 1591(a) and (b), as charged in the Indictment; and

WHEREAS, on or about July 17, 2014, the Defendant pled guilty before Magistrate Judge Mitchell D. Dembin to the Superseding Information; and

WHEREAS, on August 8, 2014, this Court accepted Defendant's guilty plea; and

WHEREAS, by virtue of the facts set forth in the Plea Agreement, the United States has established the requisite nexus between the forfeited property and the offense; and

WHEREAS, by virtue of said guilty plea, the United States is now entitled to possession of said property, pursuant to 18 U.S.C. § 1594; and

1 WHEREAS, pursuant to Rule 32.2(b), the United States having requested the
2 authority to take custody of the following property which was found forfeitable by the
3 Court, namely:

4 **One (1) cell phone;**

5 WHEREAS, the aforementioned forfeited asset is currently in the custody of the
6 San Diego Police Department ("SDPD"); and

7 WHEREAS, the United States, having submitted the Order herein to the Defendant
8 through his attorney of record to review, and no objections having been received;

9 Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

10 1. Based upon the guilty plea of the Defendant, all right, title and interest of
11 Defendant in the following property are hereby forfeited to the United States for
12 disposition in accordance with the law:


13 **One (1) cell phone.**

14 2. The aforementioned forfeited asset is to be held by SDPD in its secure
15 custody and control, and will be disposed of by SDPD at the conclusion of this matter,
16 according to law.

17 3. Pursuant to Rule 32.2(b)(3), this Order of Criminal Forfeiture shall be made
18 final as to Defendant at the time of sentencing and is part of the sentence and included in
19 the judgment.

20 DATED:

21 *2/06/15*

22 
Hon. ROGER T. BENITEZ
United States District Judge